


I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 11/30/06

Signature:   
(Ginny Blundell)Docket No.: PROL-P01-041  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Alroy et al.

Application No.: 10/551,587

Confirmation No.: 2872

International Filing Date: April 5, 2004

Art Unit: Not yet assigned

For: POSH POLYPEPTIDES, COMPLEXES AND  
RELATED METHODS

Examiner: Not yet assigned

**TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING IN REPLY TO  
NOTIFICATION OF DEFECTIVE RESPONSE**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This substitute Sequence Listing is submitted in response to the Examiner's objection to the specification, which is presented in the October 30, 2006 Notification of Defective Response. A copy of the Notice is attached.

Transmitted herewith is a copy of a Substitute Sequence Listing in paper form (sheets 1/40 through 40/40) comprising SEQ ID NOS: 1-70 for the above-identified patent application as required by 37 C.F.R. 1.825(a) and 1.821(c), and a copy of the Substitute Sequence Listing in computer readable form as required by 37 C.F.R. 1.825(b) and 1.821(e). Please replace the Sequence Listing filed on July 18, 2006, sheets 1/40 through 40/40 with the attached Substitute Sequence Listing.

As required by 37 C.F.R. 1.825(b), Applicants' Attorney hereby states that the contents of the Substitute Sequence Listing in paper form and in the computer readable form submitted herewith are the same and, as required by 37 C.F.R. 1.825(a), also states that the submission includes no new matter.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. PROL-P01-041 from which the undersigned is authorized to draw.

Dated: November 30, 2006

Respectfully submitted,

By Anita Varma  
Anita Varma

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,587	Iris Alroy	PROL-P01-041

INTERNATIONAL APPLICATION NO.
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PCT/US04/10582

I.A. FILING DATE	PRIORITY DATE
04/05/2004	04/03/2003

28120  
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 ONE INTERNATIONAL PLACE  
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NOV 02 2006

Intellectual Property Dept.

CONFIRMATION NO. 2872

371 FORMALITIES LETTER



\*OC000000021026095\*

Date Mailed: 10/30/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- o Indication of Small Entity Status
- o Priority Document
- o Copy of the International Application filed on 09/30/2005
- o Copy of the International Search Report filed on 09/30/2005
- o Preliminary Amendments filed on 09/30/2005
- o Biochemical Sequence Diskette filed on 07/20/2006
- o Oath or Declaration filed on 07/20/2006
- o U.S. Basic National Fees filed on 09/30/2005
- o Assignment filed on 09/30/2005
- o Priority Documents filed on 09/30/2005
- o Specification filed on 09/30/2005
- o Claims filed on 09/30/2005
- o Abstracts filed on 09/30/2005
- o Drawings filed on 09/30/2005
- o Paper nucleotide sequence listings filed on 07/20/2006

File No.: PROL-P01-041  
 Action Desc: Defective Response / Seqh  
 Due Date: 12/27/06  
 By: [Signature]

Applicant's response filed 07/20/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 05/22/2006 have not been completed.

- o This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where

applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- o A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- o For Rules Interpretation, call (571) 272-0951
- o For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- o Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,587	PCT/US04/10582	PROL-P01-041